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A/RES/52/135
27 February 1998

Fifty-second session
Agenda item 112 (*b*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/644/Add.2)*]

52/135. Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[1] and the International Covenants on Human Rights,[2]

Recalling the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,[3] including part III thereof, relating to human rights,

Taking note of Commission on Human Rights resolution 1997/49 of 11 April 1997,[4] and recalling General Assembly resolution 51/98 of 12 December 1996 and previous relevant resolutions, including

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] A/46/608-S/23177, annex; see *Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991*, document S/23177.

[4] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

Commission on Human Rights resolution 1993/6 of 19 February 1993,[5] in which the Commission recommended the appointment of a special representative for human rights in Cambodia, and the subsequent appointment by the Secretary-General of a special representative,

Recognizing that the tragic history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Desiring that the United Nations respond positively to assist efforts to investigate Cambodia's tragic history, including responsibility for past international crimes, such as acts of genocide and crimes against humanity,

Welcoming the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia,

1. *Requests* the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia, to ensure adequate resources for the enhanced functioning of the operational presence in Cambodia of the Office of the High Commissioner and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. *Welcomes* the report of the Secretary-General on the situation of human rights in Cambodia,[6] in particular the section concerning the role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights, and encourages the Government of Cambodia to continue to cooperate with the Office;

3. *Takes note with appreciation* of the report of the Special Representative on the situation of human rights in Cambodia,[7] in particular his concerns for a legislative framework for the forthcoming national elections and his concerns about the problem of impunity, the independence of the judiciary and the establishment of the rule of law, the use of torture, the administration of prisons and the ill-treatment of prisoners and child prostitution and trafficking;

4. *Notes with concern* the lack of response by the Government of Cambodia to several of the recommendations contained in the previous reports of the Special Representative, and urges that it respond as soon as possible;

5. *Expresses grave concern* about numerous instances of violations of human rights, including extrajudicial executions, torture, including rape, illegal arrest and detention, as detailed in the reports of the Special Representative and his predecessor, and calls upon the Government of Cambodia to prosecute,

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[5] Ibid., *1993, Supplement No. 3* (E/1993/23), chap. II, sect. A.

[6] A/52/489.

[7] E/CN.4/1997/85.

in accordance with due process of the law and international standards relating to human rights, all those who have perpetrated human rights violations;

6. *Also expresses grave concern* about the serious violations of human rights committed during the armed violence of early July 1997 and in its aftermath, as reported by the Special Representative and by the office in Cambodia of the United Nations High Commissioner for Human Rights in its memorandum on summary executions, torture and missing persons, and urges the Government of Cambodia as a high priority to investigate thoroughly and impartially and to bring to justice those responsible for such serious crimes;

7. *Notes* that the perpetrators of the violence in Phnom Penh, on 30 March 1997, against a peaceful and lawful opposition rally exercising its democratic rights which resulted in numerous deaths and injuries have not been identified and brought to justice, and urges the Government of Cambodia to take action;

8. *Notes with serious concern* the comments of the Special Representative concerning corrupt practices within the judicial system and in the prison administration, and strongly urges the Government of Cambodia to address the problem of corrupt practices and to increase its efforts to create a functioning and impartial system of justice, including convening the Supreme Council of Magistracy, to institute a system to guarantee the essential sustenance of prisoners and to continue its efforts to improve the physical environment of prisons;

9. *Stresses* that addressing the continuing problem of impunity, as detailed by the Special Representative, including the repeal of article 51 of the law on civil servants of 1994 and bringing to justice those responsible for human rights violations, together with ensuring security of persons and rights of association, assembly and expression, is a matter of critical and urgent priority and essential to the creation of an atmosphere conducive to the holding of free, fair and credible elections;

10. *Notes* that national elections are scheduled to be held in May 1998, and strongly urges the Government of Cambodia to promote and uphold the effective functioning of multi-party democracy, including the right to form political parties, to stand for election, to take part freely in a representative Government, as well as the right to freedom of expression and the right to information, in accordance with the principles set out in paragraphs 2 and 4 of annex 5 to the Agreement signed in Paris on 23 October 1991;

11. *Expresses support* for the Secretary-General's efforts in Cambodia, including the role of United Nations offices in monitoring the return of political leaders currently outside the country and their unfettered resumption of political activity, and requests the Secretary-General to continue to consider any request from the Government of Cambodia for assistance with the holding of the elections, including coordination and monitoring;

12. *Welcomes* the proposed measures outlined by the Government of Cambodia in its comments[8] on the report of the Secretary-General to the General Assembly at its fifty-first session[9] to ensure that the forthcoming national elections are free and fair and the assurances given by the Cambodian leaders to the

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[8] A/51/453/Add.1.

[9] A/51/453.

Secretary-General stating their commitment to holding elections and to guaranteeing the security and safety of all returning political leaders, as well as their full resumption of political activities, and expresses the hope that this will facilitate the return of political leaders from abroad;

13. *Emphasizes* the need for the legislative framework for the elections, in accordance with established international standards, to be agreed upon and adopted by the National Assembly, for the security forces to remain neutral during the election campaign, for free and equal access to the electronic and print media, for the individual vote to be confidential, for full cooperation to be given to local and international observers and for all parties to act in a constructive manner and to accept the outcome of the elections;

14. *Strongly encourages* the Government of Cambodia to establish an independent body to supervise the holding of the elections, to ensure that the elections are free, fair and credible and to ensure that the Constitutional Council will be convened in order to resolve election disputes;

15. *Endorses* the comments of the Special Representative that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge and that their crimes, including the taking and killing of hostages, have continued to the present, and notes with concern that no Khmer Rouge leader has been brought to account for his crimes;

16. *Requests* the Secretary-General to examine the request by the Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law, including the possibility of the appointment, by the Secretary-General, of a group of experts to evaluate the existing evidence and propose further measures, as a means of bringing about national reconciliation, strengthening democracy and addressing the issue of individual accountability;

17. *Urges* the Government of Cambodia to take concrete action to combat child prostitution and trafficking and, in this connection, to work with the office in Cambodia of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and non-governmental organizations to develop an action plan;

18. *Welcomes* the signature in May 1997 of a memorandum of understanding between the International Labour Organization and the Government of Cambodia to formalize areas of cooperation in the field of child labour;

19. *Encourages* the Government of Cambodia to include Cambodian non-governmental organizations active in the field of human rights in the rehabilitation and reconstruction of Cambodia, and recommends that their skills be drawn upon to assist in ensuring that forthcoming elections are free, fair and credible;

20. *Also encourages* the Government of Cambodia to request the Office of the United Nations High Commissioner for Human Rights to provide advice and technical assistance with respect to the creation of an independent national institution for the promotion and protection of human rights, and looks forward to the establishment of such an institution;

21. *Notes with appreciation* the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the United Nations High Commissioner for Human Rights, as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental

and non-governmental organizations, foundations and individuals to consider contributing funds to the Trust Fund;

22. *Expresses grave concern* about the devastating consequences and destabilizing effects of the use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of these mines, and urges the Government of Cambodia to give priority to banning all anti-personnel landmines;

23. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

24. *Decides* to continue its consideration of the situation of human rights in Cambodia at its fifty-third session.

70th plenary meeting
12 December 1997

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A/RES/52/136
3 March 1998

Fifty-second session
Agenda item 112 (*b*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/644/Add.2)*]

52/136. Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development,[1] which it proclaimed at its forty-first session, and noting that the Declaration represents a landmark and a meaningful instrument for countries and people worldwide;

Reaffirming also the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

Recalling its previous resolutions and those of the Commission on Human Rights relating to the right to development,

Also recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[2] which reaffirms the right to development as a universal and inalienable right and as an integral part of fundamental human rights and reaffirms that the human person is the central subject of development,

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[1] Resolution 41/128, annex.

[2] A/CONF.157/24 (Part I), chap. III.

Emphasizing that development-oriented approaches to the promotion of human rights, as expressed by the Declaration on the Right to Development, constitute an important contribution to the development and strengthening of alternative approaches to the promotion and protection of all human rights,

Recalling that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Also recalling that democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance in all sectors of society, as well as effective participation by civil society, are essential parts of the necessary foundation for the realization of social and people-centred sustainable development,

Further recalling the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992,[3] and taking note of the deliberations of the General Assembly at its nineteenth special session,

Acknowledging that, in this regard, a number of positive results have been achieved, but deeply concerned that the overall trends with respect to sustainable development are worse today than they were in 1992,

Mindful that the Commission on Human Rights continues to consider this matter and that the second session of the Intergovernmental Group of Experts established by the Commission on Human Rights to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects, was held at Geneva from 29 September to 10 October 1997, with a view to further enhancement and implementation of the right to development,

Noting the need for improved coordination and cooperation throughout the United Nations system for more effective promotion and realization of the right to development,

Recognizing that the Office of the United Nations High Commissioner for Human Rights has an important role to play in the promotion, protection and realization of the right to development, including in seeking enhanced support from the relevant bodies of the United Nations system for this purpose,

Reaffirming that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recognizing that the implementation of the Declaration on the Right to Development requires effective development policies and support at the international level through the effective contribution of

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[3] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, Brazil, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigenda), resolution 1, annex I.

States, organs and organizations of the United Nations system and non-governmental organizations active in this field,

Expressing its concern about the lack of participation of developing countries at the global level in the decision-making process on macroeconomic policy issues, with far-reaching impacts on the world economy and with negative implications for the exercise of the right to development in developing countries,

Reaffirming the need for action by all States at the national and international levels for the realization of all human rights and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Also reaffirming that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control and to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of developing countries,

Noting that aspects of the Programme of Action of the International Conference on Population and Development, adopted by the Conference on 13 September 1994,[4] the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development, adopted by the Summit on 12 March 1995,[5] the Beijing Declaration and the Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[6] and the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) at Istanbul, Turkey, on 14 June 1996,[7] are relevant to the universal realization of the right to development, within the context of promoting and protecting all human rights,

Affirming the need to apply a gender perspective in the implementation of the right to development, *inter alia*, by ensuring that women play an active role in the development process,

Expressing concern that, more than ten years after the adoption of the Declaration on the Right to Development, obstacles to the realization of the right to development still persist at both the national and international levels and that new obstacles to the rights stated therein have emerged, including, *inter alia*, the negative effects of globalization on the right to development, particularly in developing countries,

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[4] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[5] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[6] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[7] A/CONF.165/14, chap. I, resolution 1, annexes I and II.

Expressing further concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies and policies and activities of international organizations,

Having considered the note by the Secretary-General on the right to development,[8] prepared pursuant to General Assembly resolution 51/99 of 12 December 1996,

1. *Takes note* of the note by the Secretary-General;

2. *Reaffirms* the importance of the right to development for every human person and for all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights, as well as the potential contribution its realization could make to the full enjoyment of human rights and fundamental freedoms;

3. *Recognizes* that the Declaration on the Right to Development[1] constitutes an integral link between the Universal Declaration of Human Rights[9] and the Vienna Declaration and Programme of Action[2] through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;

4. *Reiterates* its commitment to implementing the results of the World Conference on Human Rights, which reaffirm that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

5. *Also reiterates* that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as an equitable economic environment at the international level;

6. *Reaffirms* the need for States to cooperate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms for all, without any distinction as to race, sex, language or religion;

7. *Stresses* that human rights should not be used as an instrument of trade protectionism;

8. *Takes note* of the importance given to human rights by the Secretary-General in his measures and proposals for the reform of the United Nations,[10] and urges him to give high priority to the promotion and realization of the right to development;

9. *Calls upon* the Commission on Human Rights to consider carefully the report of the second session of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in

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[8] A/52/473.

[9] Resolution 217 A (III).

[10] See A/52/303 and Add.1.

its integrated and multidimensional aspects,[11] bearing in mind the conclusions of the Working Group on the Right to Development established by the Commission on Human Rights in its resolution 1993/22 of 4 March 1993[12] and the conclusions of the World Conference on Human Rights, the United Nations Conference on Environment and Development, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the second United Nations Conference on Human Settlements (Habitat II);

10. *Notes* the efforts made by the High Commissioner, within her mandate, and encourages her to continue the coordination of various activities with regard to the implementation of the right to development;

11. *Notes also* that measures taken for the promotion and realization of the right to development should be more effective, and calls upon the High Commissioner to explore further ways and means to achieve this objective;

12. *Requests* the High Commissioner, within her mandate, to continue to take steps for the promotion, protection and realization of the right to development by, *inter alia*, drawing on the expertise of the funds, programmes and the specialized agencies of the United Nations system related to the field of development;

13. *Requests* the Secretary-General to inform the Commission on Human Rights at its fifty-fourth session and the General Assembly at its fifty-third session of the activities of the organizations, funds, programmes and the specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

14. *Calls upon* all Member States to make further concrete efforts at the national and international levels to remove obstacles to the realization of the right to development;

15. *Calls upon* the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right,[13] the reports of the Working Group on the Right to Development and the report of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development;

16. *Notes* that the fiftieth anniversary of the Universal Declaration of Human Rights is an ideal occasion for the international community to assess the progress achieved in:

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[11] E/CN.4/1998/29.

[12] See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* (E/1993/23), chap. II, sect. A.

[13] See E/CN.4/1990/Rev.1.

(*a*) Realizing freedom from fear and freedom from want as the highest aspiration of the common people;

(*b*) Promoting the advent of a world where the inherent dignity of all members of the human family is recognized;

17. *Affirms*, in the above regard, that the inclusion of the Declaration on the Right to Development in the International Bill of Human Rights[14] would be an appropriate means of celebrating the fiftieth anniversary of the Universal Declaration of Human Rights;

18. *Encourages* all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development as set out in the Declaration on the Right to Development;

19. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-third session;

20. *Decides* to consider this question at its fifty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

70th plenary meeting
12 December 1997

[14] See resolutions 217 A (III), 2200 A (XXI), annex and 44/128, annex.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/644/Add.3)*]

52/137. Situation of human rights in Myanmar

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other applicable human rights instruments,

Aware that, in accordance with the Charter, the United Nations promotes and encourages respect for human rights and fundamental freedoms for all and that the Universal Declaration of Human Rights states that the will of the people shall be the basis of the authority of government,

Recalling its resolution 51/117 of 12 December 1996,

Recalling also Commission on Human Rights resolution 1992/58 of 3 March 1992,[3] in which the Commission, *inter alia*, decided to nominate a special rapporteur to establish direct contacts with the

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

Government and with the people of Myanmar, including political leaders deprived of their liberty, their families and their lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian Government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar,

Taking note of Commission on Human Rights resolution 1997/64 of 16 April 1997,[4] in which the Commission decided to extend for one year the mandate of its Special Rapporteur on the situation of human rights in Myanmar,

Noting with concern that the Government of Myanmar has not yet agreed to a visit by the Special Rapporteur,

Gravely concerned that the Government of Myanmar still has not implemented its commitment to take all necessary steps towards democracy in the light of the results of the elections held in 1990,

Gravely concerned also about the travel and other restrictions placed on Aung San Suu Kyi and other political leaders, the continued arrests and harassment of members and supporters of the National League for Democracy, trade unionists and students for peacefully exercising their right to freedom of expression, assembly and association, the forced resignations of elected representatives and the long closure of all universities and colleges following the student demonstrations in December 1996,

Recalling the withdrawal and subsequent exclusion from the National Convention of members of the National League for Democracy, late in 1995,

Welcoming the contact between the Government of Myanmar and political parties, in particular the National League for Democracy, but regretting the failure of the Government of Myanmar to engage in a substantive political dialogue with Aung San Suu Kyi and other political leaders, including representatives of ethnic groups,

Gravely concerned at the continuing violations of human rights in Myanmar, as reported by the Special Rapporteur, including extrajudicial, summary or arbitrary executions, killings of civilians, torture, arbitrary arrest and detention, deaths in custody, absence of due process of law, including trial of detainees in secrecy without proper legal representation, severe restrictions on freedom of opinion, expression, assembly and association, violations of freedom of movement, forced relocation, forced labour of children as well as adults, including portering for the military, abuse of women and children by government agents and the imposition of oppressive measures directed, in particular, at ethnic and religious minorities,

Recalling the observation made by the Special Rapporteur that the absence of respect for the rights pertaining to democratic governance is at the root of all the major violations of human rights in Myanmar,

Recalling also the conclusion of ceasefire agreements between the Government of Myanmar and several ethnic groups,

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[4] Ibid., *1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

Noting that the human rights situation in Myanmar has resulted in flows of refugees to neighbouring countries, thus creating problems for the countries concerned,

1. *Expresses its appreciation* to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar for his interim report,[5] and urges the Government of Myanmar to cooperate fully with the Special Rapporteur and to ensure his access to Myanmar, without preconditions, in order to allow him fully to discharge his mandate;

2. *Also expresses its appreciation* to the Secretary-General for his report;[6]

3. *Deplores* the continuing violations of human rights in Myanmar;

4. *Notes* that Nobel Peace Prize Laureate Aung San Suu Kyi was allowed to travel to the Thaketa township office of the National League for Democracy to peacefully conduct normal political activities on 21 October 1997, but was subsequently prevented from attending party meetings of the League, on 5 November 1997 in Tamwe township and on 13 November 1997 in Hlaing township, and requests the Government of Myanmar to permit unrestricted communication with and physical access to Aung San Suu Kyi and other political leaders by members and supporters of the League and to protect their physical well-being;

5. *Strongly urges* the Government of Myanmar to release, immediately and unconditionally, detained political leaders and all political prisoners, to ensure their physical integrity and to permit them to participate in the process of national reconciliation;

6. *Urges* the Government of Myanmar to pursue its contacts with the National League for Democracy with a view to engaging, at the earliest possible date, in a substantive political dialogue with the General Secretary of the League, Aung San Suu Kyi, and other political leaders, including representatives of ethnic groups, as the best means of promoting national reconciliation and the full and early restoration of democracy;

7. *Welcomes* the visits to Myanmar in the first half of 1997 by the Envoy of the Secretary-General and the Director of the East Asia and the Pacific Division of the Department of Political Affairs of the Secretariat for the purpose of discussions with the Government and with Aung San Suu Kyi and other political leaders, and encourages the Government of Myanmar to broaden its dialogue with the Secretary-General and to facilitate access by his representatives to the political leaders in Myanmar;

8. *Again urges* the Government of Myanmar, in conformity with its assurances given at various times, to take all necessary steps towards the restoration of democracy in accordance with the will of the people, as expressed in the democratic elections held in 1990, and to ensure that political parties and non-governmental organizations can function freely;

9. *Welcomes* the holding of the Ninth Anniversary Conference of the National League for Democracy on 27 and 28 September 1997;

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[5] A/52/484, annex.

[6] A/52/587.

10. *Expresses its concern* that most of the representatives duly elected in 1990 are still excluded from participating in the meetings of the National Convention, created to prepare basic elements for the drafting of a new constitution, and that one of the objectives of the Convention is to maintain the participation of the armed forces in a leading role in the future political life of the State, notes also with concern that the composition and working procedures of the National Convention do not permit the elected representatives of the people freely to express their views, and concludes that the National Convention does not appear to constitute the necessary step towards the restoration of democracy;

11. *Strongly urges* the Government of Myanmar to take all appropriate measures to allow all citizens to participate freely in the political process, in accordance with the principles of the Universal Declaration of Human Rights, and to accelerate the process of transition to democracy, in particular through the transfer of power to democratically elected representatives;

12. *Also strongly urges* the Government of Myanmar to ensure full respect for human rights and fundamental freedoms, including freedom of expression and assembly, the right to a fair trial and the protection of the rights of persons belonging to ethnic and religious minorities, to put an end to violations of the right to life and integrity of the human being, to the practices of torture, abuse of women, forced labour and forced relocations and to enforced disappearances and summary executions, to fulfil its obligation to end the impunity of perpetrators of human rights violations, including members of the military, and to investigate and prosecute alleged violations committed by government agents in all circumstances;

13. *Calls upon* the Government of Myanmar to implement fully the recommendations made by the Special Rapporteur;

14. *Welcomes* the accession by the Government of Myanmar, on 22 July 1997, to the Convention on the Elimination of All Forms of Discrimination against Women;[7]

15. *Appeals* to the Government of Myanmar to consider becoming a party to the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights[2] and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment;[8]

16. *Strongly urges* the Government of Myanmar to fulfil its obligations with regard to the Convention on the Rights of the Child,[9] as set out in the concluding comments of the Committee on the Rights of the Child in its report on its fourteenth session;[10]

17. *Also strongly urges* the Government of Myanmar to fulfil its obligations as a State party to the Forced Labour Convention, 1930 (No. 29), and the Freedom of Association and Protection of the Right

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[7] Resolution 34/180, annex.

[8] Resolution 39/46, annex.

[9] Resolution 44/25, annex.

[10] CRC/C/62, paras. 135-182.

to Organize Convention, 1948 (No. 87), of the International Labour Organization, and encourages the Government of Myanmar to cooperate more closely with the International Labour Organization, in particular with the Commission of Inquiry appointed in accordance with article 26 of the Constitution of the International Labour Organization;

18. *Stresses* the importance for the Government of Myanmar to give particular attention to improving the conditions in the country's jails and to allow the competent international humanitarian organization to communicate freely and confidentially with prisoners;

19. *Calls upon* the Government of Myanmar and other parties to the hostilities in Myanmar to respect fully the obligations under international humanitarian law, including article 3 common to the Geneva Conventions of 12 August 1949,[11] to halt the use of weapons against the civilian population, to protect all civilians, including children, women and persons belonging to ethnic or religious minorities, from violations of humanitarian law and to avail itself of such services as may be offered by impartial humanitarian bodies;

20. *Encourages* the Government of Myanmar to create the necessary conditions to ensure an end to the movements of refugees to neighbouring countries and to create conditions conducive to their voluntary return and their full reintegration, in conditions of safety and dignity;

21. *Requests* the Secretary-General to continue his discussions with the Government of Myanmar in order to assist in the implementation of the present resolution and to report to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fourth session;

22. *Decides* to continue its consideration of this question at its fifty-third session.

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[11] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.